



## RESPONSES TO INFORMATION REQUESTS (RIRs)

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10 October 2006

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Philippines: State protection available to persons who make an official complaint against the police (2003 - 2006)  
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

Human rights organizations consulted by the Research Directorate indicate that members of the Philippine's National Police (PNP) have allegedly been involved in a range of human rights violations, including killings (US 8 Mar. 2006; AI 23 May 2006; see also AHRC 27 July 2006; *ibid.* 31 Mar. 2006). The Philippines Commission on Human Rights (CHR), cited in *Country Reports on Human Rights Practices for 2005*, has described the PNP as "the worst abuser of human rights" (US 8 Mar. 2006).

Complaints against the PNP can reportedly be registered at "complaints referral action centres" (Philippines n.d.a; CIDCM Nov. 2003), established by the National Police Commission (Napolcom) (*Philippine Daily Inquirer* 14 Dec. 2002). A 14 December 2002 *Philippine Daily Inquirer* article reports that Napolcom was launching a 24-hour action centre that would "welcome complaints against police officers." The PNP's Web site provides a telephone number that can be used to make complaints about police services or specific police officers (Philippines n.d.a). According to a case study on e-transparency in the Philippines National Police, since 2002, a Complaints Referral Action Centre (CRAC) has also allowed citizens to report police wrongdoings through the use of text messaging, as well as through a Web-based system, referred to as the Complaints, Referral, Action, Investigation and Verification Information System (CIDCM Nov. 2003). Information on the effectiveness of these complaints centres could not be found among the sources consulted by the Research Directorate.

Despite the existence of a system to register complaints against the police in the Philippines, the PNP reportedly commit human rights violations and other illegal acts with relative impunity (US 8 Mar. 2006, 1.d; see also OMCT Sept. 2003, 20-21 and AI 23 May 2006). According to Amnesty International, the reasons cited for this climate of impunity include the reluctance of victims or witnesses to come forward due to intimidation, a lack of effective witness protection programs, and a lack of confidence in the justice system (23 May 2006). The World Organisation Against Torture (Organisation Mondiale Contre la Torture, OMCT) attributes the problem of impunity to the inaccessibility of the justice system and the slowness of judicial processes (Sept. 2003, 20-21). *Country Reports 2005* also describes the PNP's Internal Affairs Service, an independent unit of the PNP responsible for investigating allegations against police officers (Philippines n.d.b), as "largely ineffective" (US 8 Mar. 2006, Sec. 1.d).

Cited in a 2003 OMCT report, a survey conducted by the Manila-based Ateneo Human Rights Center on legal and judicial characteristics of impunity in the Philippines found that

fear of reprisal from the relatives or friends of the accused [is] a major cause of reluctance of the victim to cooperate and pursue investigation and prosecution if the accused is a law enforcer, a member of the military or a government official (Sept. 2003, 20).

The OMCT report further notes that the Philippines Department of Justice witness protection program is "inadequate" and lacks resources (*ibid.*). According to the report, "[w]itnesses have complained that protection is guaranteed only during and not after trial, leaving them open to retribution by the accused or from friends of the accused" (*ibid.*).

In March 2006, a senior inspector with the Internal Affairs Service was murdered in the city of Pasig (*Manila Bulletin* 29 Mar. 2006; *MST* 11 Apr. 2006). The Senior Inspector, Renato Marasigan, had reportedly been investigating several "high-profile" cases involving police misconduct when he was killed (*ibid.*). According to an article in *Manila Standard Today (MST)*, sources from the Eastern Police District indicated that police officers from Pasig City had "financed" Marasigan's murder, paying approximately 500,000 Philippine pesos [approximately CAN\$10,830 (XE.com 29 Aug. 2006)] (*MST* 11 Apr. 2006). As of April 2006, one suspect had been arrested and several others identified in connection with the murder (*ibid.*). No further information on arrests made in connection with the Marasigan murder could be found among the sources consulted by the Research Directorate.

No further information on the registration of complaints against the PNP and state protection available to those who register complaints could be found among the sources consulted by the Research Directorate.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

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#### Additional Sources Consulted

**Oral sources:** The following organizations did not provide information within the time constraints of this Response: the Asian Human Rights Commission (AHRC), the Commission on Human Rights (CHR) Philippines, and the Philippine Alliance of Human Rights Advocates (PAHRA).

**Internet sites, including:** Commission on Human Rights (CHR) Philippines, European Country of Origin Information Network (ECOI.net), Human Rights Watch (HRW), Karapatan (Alliance for the Advancement of People's Rights), Philippine Alliance of Human Rights Advocates (PAHRA), United Kingdom Home Office.

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